

12/29/00

Please type a plus sign (+) inside this box



0102101

A

PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 09790350-0002

First Inventor Peter Benda, et. al.

Title Transport Vehicle Capacity Maximization Logistics  
System and Method of Same

Express Mail Label No. EJ090386571US

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 43]  
(preferred arrangement set forth below)
- Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 7]
5. Oath or Declaration [Total Pages 4]
- a. ☒ Newly executed (original or copy)
- b. ☐ Copy from a prior application (37 CFR 1.63 (d))  
(for continuation/divisional with Box 18 completed)
- i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or  
Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ paper
- c. ☐ Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☒ Power of Attorney  
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☒ Request and Certification under 35 U.S.C. 122  
(b)(2)(B)(i). Applicant must attach form PTO/SB/35  
or its equivalent.
17. ☐ Other: .....

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_ / \_\_\_\_\_

Prior application information:

Examiner \_\_\_\_\_

Group Art Unit: \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.**19. CORRESPONDENCE ADDRESS**☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or ☒ Correspondence address below

Name

Howard B. Rockman, Sonnenschein Nath &amp; Rosenthal

Address

P.O. Box #0610780

Wacker Drive Station - Sears Tower

City

Chicago

State

IL

Zip Code

60606-1080

Country

Telephone

312-876-8000

Fax

312-876-7934

Name (Print/Type)

Howard B. Rockman

Registration No. (Attorney/Agent)

22,190

Signature

Howard B. Rockman

Date

December 29, 2000

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

**CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**  
(Retain this form in the SNR matter file)

First Named Inventor

Peter Benda, et al.

Title

Transport Vehicle Capacity Maximization  
Logistics System and Method of Same

Atty Docket Number

09790350-0002

**YOU MUST SELECT EITHER  
I. OR II.**

☒ I. APPLICATION NOT TO BE PUBLISHED \*

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing.

I request that the attached application not be published under 35 U.S.C. 122(b). I understand that I may rescind this nonpublication request at any time.

Provisional rights are available to patentees to obtain compensation if others practice the invention during the period between publication and grant of patent. I understand that if my application is not published, I will not be entitled to exercise these provisional rights as provided by law.

☐ II. APPLICATION TO BE PUBLISHED \*\*

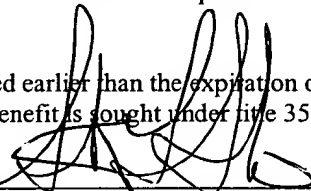
A. Certification

I hereby certify that the invention disclosed in the attached application **is or will be** the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing. I understand that the attached application for a patent shall be published promptly after the expiration of a period of 18 months from the earliest filing date for which a benefit is sought under title 35. Moreover, I understand that publication of the attached application will make the published application prior art under 35 U.S.C. § 102(e), even if the attached application never issues into a patent.

B. Early Publication (optional)

☐ I request that the attached application be published earlier than the expiration of a period of 18 months from the earliest filing date for which a benefit is sought under title 35.

12/20/00  
Date

  
Signature

Steven Halbie, President  
Typed or printed name, Position

\* If an applicant who has made a nonpublication request subsequently files, in a foreign country or under a multilateral international agreement, an application directed to the invention disclosed in the application filed in the Patent and Trademark Office, the applicant **must** notify the United States Patent and Trademark Office of such filing not later than forty-five (45) days after the date of the filing of such foreign or international application. **Failure to provide such notice will result in the application being regarded as abandoned**, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.

\*\* A nonpublication request must be submitted with the application **upon filing of the application**. If this form is not returned to the Sonnenschein Nath & Rosenthal attorney of record prior to the filing of the application, the Sonnenschein Nath & Rosenthal attorney of record will not submit a nonpublication request and the application will be published as indicated under 35 U.S.C. 122(b).

**UNITED STATES PATENT APPLICATION FOR**

**Transport Vehicle Capacity Maximization Logistics System and Method of Same**

**Inventors:**

**Peter Benda, Steven LaVoie, William Osborn, Gary Davison, Peter D. Rocha**

**CERTIFICATE OF MAILING BY "EXPRESS MAIL"  
UNDER 37 C.F.R. § 1.10**

"Express Mail" mailing label number: EJ090386571US

Date of Mailing: December 29, 2000

I hereby certify that this correspondence is being deposited with the United States Postal Service, utilizing the "Express Mail Post Office to Addressee" service addressed to Box PATENT APPLICATION, Assistant Commissioner for Patents, Washington, DC 20231 and mailed on the above Date of Mailing with the above "Express Mail" mailing label number.

*Cindee Albert*

Signature Date: December 29, 2000

# FEE TRANSMITTAL

## for FY 2000

Patent fees are subject to annual revision.  
Small Entity payments must be supported by a small entity statement,  
otherwise large entity fees must be paid. See Forms PTO/SB/09-12.  
See 37 C.F.R. §§ 1.27 and 1.28.

TOTAL AMOUNT OF PAYMENT (\$)**793.00**

### Complete if Known

Application Number  
Filing Date **December 29, 2000**  
First Named Inventor **Peter Benda, et. al.**  
Examiner Name  
Group / Art Unit  
Attorney Docket No. **09790350-0002**

### METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **19-3140**

Deposit Account Name **Sonnenschein Nath & Rosenthal**

☒ Charge Any Additional Fee Required  
Under 37 CFR §§ 1.16 and 1.17

2. ☒ Payment Enclosed:

☒ Check ☐ Money Order ☐ Other

### FEE CALCULATION

#### 1. BASIC FILING FEE

Large Entity Code (\$)	Small Entity Code (\$)	Fee Description	Fee Paid
101 690	201 345	Utility filing fee	<b>355.00</b>
106 310	206 155	Design filing fee	
107 480	207 240	Plant filing fee	
108 690	208 345	Reissue filing fee	
114 150	214 75	Provisional filing fee	

SUBTOTAL (1) (\$)**355.00**

#### 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
<b>42</b>	<b>22</b>	<b>9</b>	<b>198</b>
<b>9</b>	<b>6</b>	<b>40</b>	<b>240</b>
			<b>0</b>

\*\*or number previously paid, if greater; For Reissues, see below

Large Entity Code (\$)	Small Entity Code (\$)	Fee Description	Fee Paid
103 18	203 9	Claims in excess of 20	
102 78	202 39	Independent claims in excess of 3	
104 260	204 130	Multiple dependent claim, if not paid	
109 78	209 39	** Reissue independent claims over original patent	
110 18	210 9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$)**438.00**

### FEE CALCULATION (continued)

#### 3. ADDITIONAL FEES

Large Entity Code (\$)	Small Entity Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	<b>0.00</b>
127 50	227 25	Surcharge - late provisional filing fee or cover sheet.	<b>0.00</b>
139 130	139 130	Non-English specification	<b>0.00</b>
147 2,520	147 2,520	For filing a request for reexamination	<b>0.00</b>
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	<b>0.00</b>
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	<b>0.00</b>
115 110	215 55	Extension for reply within first month	<b>0.00</b>
116 380	216 190	Extension for reply within second month	<b>0.00</b>
117 870	217 435	Extension for reply within third month	<b>0.00</b>
118 1,360	218 680	Extension for reply within fourth month	<b>0.00</b>
128 1,850	228 925	Extension for reply within fifth month	<b>0.00</b>
119 300	219 150	Notice of Appeal	<b>0.00</b>
120 300	220 150	Filing a brief in support of an appeal	<b>0.00</b>
121 260	221 130	Request for oral hearing	<b>0.00</b>
138 1,510	138 1,510	Petition to institute a public use proceeding	<b>0.00</b>
140 110	240 55	Petition to revive - unavoidable	<b>0.00</b>
141 1,210	241 605	Petition to revive - unintentional	<b>0.00</b>
142 1,210	242 605	Utility issue fee (or reissue)	<b>0.00</b>
143 430	243 215	Design issue fee	<b>0.00</b>
144 580	244 290	Plant issue fee	<b>0.00</b>
122 130	122 130	Petitions to the Commissioner	<b>0.00</b>
123 50	123 50	Petitions related to provisional applications	<b>0.00</b>
126 240	126 240	Submission of Information Disclosure Stmt	<b>0.00</b>
581 40	581 40	Recording each patent assignment per property (times number of properties)	<b>0.00</b>
146 690	246 345	Filing a submission after final rejection (37 CFR § 1.129(a))	<b>0.00</b>
149 690	249 345	For each additional invention to be examined (37 CFR § 1.129(b))	<b>0.00</b>
		Other fee (specify)	<b>0.00</b>
		Other fee (specify)	<b>0.00</b>

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**0.00**

### SUBMITTED BY

Name (Print/Type)	Registration No. (Attorney/Agent)	Telephone
<b>Howard B. Rockman</b>	<b>22,190</b>	<b>312-876-8000</b>
Signature <b>Howard B. Rockman</b>		Date <b>December 29, 2000</b>

### WARNING:

Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.